

**COUNCIL and COMMITTEE SESSION SUMMARY**

**Wednesday, September 29, 2010 - Tuesday, October 5, 2010**

*This summary is not intended to be the official record of the Council –  
Official minutes are available for that purpose in the Office of Legislative Information Services*

|                                 |  |   |
|---------------------------------|--|---|
|                                 |  |   |
| <b>T&amp;E</b>                  | <b>9:30 AM - 7CHR</b>  |   |
| <b>Sep 30</b>                   | (1) • Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)  | Recommended approval with amendments      |
|                                 |  |   |
| <b>PS/MFP</b>                   | <b>9:30 AM - 7CHR</b>  |   |
| <b>Oct 4</b>                    | (1) • <b>Bill 45-10</b> , Personnel - Disability Retirement - Eligibility - Total and Partial Incapacity (Drummer)   | Worksession; to be continued              |
|                                 | (2) • Supplemental appropriation – DTS - \$21,616,000 for the Public Safety System Modernization (Toregas)   | Recommended approval with amendments      |
|                                 |  |   |
| <b>PS</b>                       | <b>10:30 AM - 7CHR</b>   |   |
| <b>Oct 4</b>                    | (1) • Executive Regulation 10-10, Anti-Cruelty Conditions for Dogs (Farag)   | Worksession; to be continued              |
|                                 |  |   |
| <b>MFP</b>                      | <b>10:30 AM - 3CCR</b>   |   |
| <b>Oct 4</b>                    | (1) • <b>Expedited Bill 42-10</b> , Personnel - Retirement - Furlough - Imputed Compensation - Represented Employees (Drummer)   | Recommended approval                      |
|                                 | (2) • <b>Bill 34-10</b> , Finance - Public Facilities - Private Projects (Mihill)  | Recommended disapproval (VE & DT y; NN n) |
|                                 |  |   |
| <b>PHED</b>                     | <b>2:30 PM - 7CHR Note time change</b>   |   |
| <b>Oct 4</b>                    | (1) • ZTA 10-09, Central Business District (CBD) Standards - Transient Lodging (Zyontz)  | Recommended approval with amendments      |
|                                 |  |   |
| <b>HHS</b>                      | <b>2:00 PM - 3CCR</b>  |   |
| <b>Oct 4</b>                    | • <b>PROPOSED CLOSED SESSION</b> to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, and to consult with counsel to obtain legal advice, pursuant to Maryland Code, State Government Article, §10-508 (a)(4)(7). Topic is Olney Theatre. (3CCR Floor Council Conference Room) (McGuire/Faden) | Cancelled                                 |
|                                 | (1) • Office of Legislative Oversight Report 2011-1: A Review of Publicly Funded Family Planning Programs (Renkema)  | Reviewed report                           |
|                                 |  |   |
| <b>TUESDAY, OCTOBER 5, 2010</b> |  |   |
|                                 |  |   |
|                                 | (1) 9:30 <b>INVOCATION</b> - Reverend Steve Robertson, Chevy Chase Presbyterian Church, Chevy Chase  | Invocation given                          |

**TUESDAY, OCTOBER 5, 2010**

| RES/ORD | SUBJECT   | ACTION                      |
|---------|---|-----------------------------|
|         | (2) 9:35 <b>PRESENTATION</b> - Proclamation in recognition of Connie Morella and Mike Barnes for their work with the Montgomery County's 2010 Complete Count Committee by Council President Floreen and County Executive Leggett  | Proclamation presented      |
|         | (3) 9:40 <b>GENERAL BUSINESS</b> (Lauer)  |                             |
|         | A. <b>Announcement</b> - Agenda and Calendar Changes  | Noted changes               |
|         | B. <b>Acknowledgement</b> - Receipt of Petitions  | None                        |
|         | C. <b>Action</b> - Approval of Closed Session Minutes: September 21, 2010   | Approved (7y; RB ta; DT a)* |
|         | (4) 9:45 <b>CONSENT CALENDAR</b>  | Approved (8y; DT a)         |
|         | A. <b>Introduction</b> - Resolution to designate County Business Development Corporation (Faden)<br><br><i>Action is tentatively scheduled for 10/12/10.</i>  | Introduced                  |
|         | B. <b>Introduction</b> - Resolutions to support an application for the State's Community Investment Tax Credit Program: Jewish Social Service Agency (Michaelson)<br><br><i>Action is tentatively scheduled for 10/12/10.</i>   | Introduced                  |
|         | C. <b>Introduction</b> - Resolutions to support an applications for the State's Neighborhood Business Works Program Loan: The Limerick Pub, LLC (Michaelson)<br><br><i>Action is tentatively scheduled for 10/12/10.</i>  | Introduced                  |
|         | D. <b>Introduction</b> - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: TW Telecom of Maryland, LLC (TWTC) (Mihill)<br><br><i>Action is tentatively scheduled for 10/12/10.</i>  | Introduced                  |
|         | E. <b>Introduction</b> - Supplemental appropriation to the County Government's FY 11 Capital Budget and amendment to the FY11-16 Capital Improvements Program, <u>Office of the County Executive</u> - \$21,616,000 for the Public Safety System Modernization (Source: Short-Term Financing) (Toregas)<br><br><i>Public Hearing/Action is scheduled for 10/26/10 at 1:30 pm.</i> | Introduced                  |
|         | F. <b>Introduction</b> - Resolution of consent to and support of the application for expansion of an Enterprise Zone: City of Gaithersburg Olde Towne Central Business District (Ferber)<br><br><i>Action is tentatively scheduled for 10/12/10.</i>  | Introduced                  |

**TUESDAY, OCTOBER 5, 2010**

| <b>RES/ORD</b> | <b>SUBJECT</b>   | <b>ACTION</b> |
|----------------|--|---------------|
|                | <p align="center"><b>G. Introduction</b> - Special appropriation to the County Government's FY11 Capital Budget and amendment to the FY11-16 Capital Improvements Program, Department of Transportation - \$385,000 for infrastructure design for White Flint District West (Source: current revenue) (Orlin/Michaelson/Faden)</p> <p align="center"><i>Public Hearing is scheduled for 10/26/10 at 7:30 pm.</i></p> | Introduced    |
|                | <p align="center"><b>H. Introduction</b> - Resolution to approve White Flint Development Tax District transportation infrastructure improvements, sponsored by the Council President at the request of the County Executive (Michaelson/Faden/Orlin)</p> <p align="center"><i>Public Hearing is scheduled for 10/26/10 at 7:30 pm.</i></p>   | Introduced    |
|                | <p align="center"><b>I. Action</b> - Resolution to amend Resolution 16-1373 for the FY11 Designation of Entities for Non-Competitive Award Status: IMPACT Silver Spring, Inc. (McMillan)</p>   | Deferred      |
| <b>16-1493</b> | <p align="center"><b>J. Action</b> - Resolutions to support application for State Community Legacy Program grant: Wheaton-Long Branch-Silver Spring Community Legacy Area (Michaelson)</p>   | Adopted       |
| <b>16-1494</b> | <p align="center"><b>K. Action</b> - Confirmation of County Executive appointments to the Adult Public Guardianship Review Board: Barbara Silver, Allison Orlina (Lauer)</p>   | Adopted       |
| <b>16-1495</b> | <p align="center"><b>L. Action</b> - Confirmation of County Executive appointment to the Committee on Hate/Violence: Namatie Mansaray (Lauer)</p>  | Adopted       |
| <b>16-1496</b> | <p align="center"><b>M. Action</b> - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Lauree Hemke, Risa Mainprize, Amy Morantes, Jihan Asher, Stacey Boehm-Russell, Carole Brown, Susan Cruz, Ashok Kapur, Mehul Madia, Wendy Pulliam, Daniel (Dan) McCollum, Gladstone Marcus (Lauer)</p>  | Adopted       |
| <b>16-1497</b> | <p align="center"><b>N. Action</b> - Confirmation of County Executive appointment to the Domestic Violence Coordinating Council: Drew Tracy (Lauer)</p>  | Adopted       |
| <b>16-1498</b> | <p align="center"><b>O. Action</b> - Confirmation of County Executive appointment to the Energy and Air Quality Advisory Committee: Kenneth Cantor (Lauer)</p>   | Adopted       |
| <b>16-1499</b> | <p align="center"><b>P. Action</b> - Confirmation of County Executive appointment to the Ethics Commission: Kenita Barrow (Lauer)</p>  | Adopted       |

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| <b>RES/ORD</b> | <b>SUBJECT</b>  | <b>ACTION</b>      |
|----------------|---|--------------------|
| <b>16-1500</b> | <b>Q. Action</b> - Confirmation of County Executive appointments to the Fire and Emergency Services Commission: Michael McAdams, Paul Lilly, Ronald Ogens (Lauer)   | Adopted            |
| <b>16-1501</b> | <b>R. Action</b> - Confirmation of County Executive appointments to the Friendship Heights Transportation Management District Advisory Committee: Cobey Kuff, Edward Axler (Lauer)  | Adopted            |
| <b>16-1502</b> | <b>S. Action</b> - Confirmation of County Executive appointments to the Human Rights Commission: Ruth Martin, Stacey Ormsby, Terry Vann (Lauer)   | Adopted            |
| <b>16-1503</b> | <b>T. Action</b> - Confirmation of County Executive appointment to the Mid-County Citizens Advisory Board: Karla Fortunato (Lauer)  | Adopted            |
| <b>16-1504</b> | <b>U. Action</b> - Confirmation of County Executive appointment to the Pedestrian and Traffic Safety Advisory Committee: Darrel Drobnich (Lauer)  | Adopted            |
| <b>16-1505</b> | <b>V. Action</b> - Confirmation of County Executive appointments to the Commission on People with Disabilities: Sheila Langston, Catherine Mello, Marie (Lu) Merrick, Cindy Ostrowski, Jennifer Wolfsheimer, Megan Larson, John Miers, Marcie Povitsky, Susan Hartung (Lauer) | Adopted            |
| <b>16-1506</b> | <b>X. Action</b> - Confirmation of County Executive appointment to the Silver Spring Transportation Management District Advisory Committee: Cherian Eapen (Lauer)   | Adopted            |
| <b>16-1507</b> | <b>Y. Action</b> - Confirmation of County Executive appointments to the Workforce Investment Board: Filip Feller, Lori Golino, Susan Heltemes, Susan Leggett-Johnson, Steve Kornblatt, David Gamse, Anthony (Tony) Cancelosi, Sharan London, Dawn Weglein (Lauer)             | Adopted            |
| <b>16-1508</b> | (5) 9:55 <b>ACTION</b> - Reappointment to Board of Appeals: Catherine Titus (Lauer)   | Adopted (8y; DT a) |
|                | <b>10:00 LEGISLATIVE SESSION Day # 28</b>   |                    |
|                | <b>Introduction of Bills:</b>   |                    |
|                | (6) <b>A. Bill 48-10</b> , Technical Corrections, sponsored by County Council (Mihill)<br><br><i>Public Hearing is scheduled for 10/26/10 at 1:30 pm.</i>   | Introduced         |

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| <b>RES/ORD</b> | <b>SUBJECT</b>   | <b>ACTION</b>                  |
|----------------|--|--------------------------------|
|                | (7) <b>B. Bill 49-10</b> , Personnel and Human Resources - Organ Donor Leave, sponsored by Councilmember Knapp and Ervin (Drummer)<br><br><i>Public Hearing is scheduled for 10/26/10 at 1:30 pm.</i>  | Introduced                     |
|                | (8) <b>C. Bill 50-10</b> , Special Taxing District - White Flint - Creation, sponsored by the Council President at the request of the County Executive (Faden/Orlin/Michaelson)<br><br><i>Public Hearing is scheduled for 10/26/10 at 7:30 pm.</i> | Introduced                     |
|                | <b>Call of Bills for Final Reading:</b>  |                                |
|                | (9) <b>A. Expedited Bill 43-10</b> , Administration - Legislative Branch - County Council - Fiscal Impact Statements (Drummer)<br><br><i>MFP Committee recommends approval with amendments.</i>  | Enacted (8y; DT a)             |
|                | (10) <b>B. Expedited Bill 47-10</b> , Administration - Legislative Branch - County Council - Economic Impact Statements (Drummer)<br><br><i>MFP Committee recommends approval with amendments.</i>   | Enacted (7y; ME abstain; DT a) |
|                | (11) <b>C. Expedited Bill 19-10</b> , Taxes - Transportation Impact Tax – Amendments (Orlin/Faden)<br><br><i>MFP Committee recommends approval with amendments.</i>  | Deferred                       |
|                | (12) <b>D. Bill 1-10</b> , Development - Coordination, Oversight (Faden)<br><br><i>PHED Committee recommends approval with amendments.</i>   | Deferred                       |
|                | (13) <b>E. Bil 17-10</b> , Public Utility Easement - Urban Roads (Zyontz)<br><br><i>T&amp;E Committee recommended disapproval.</i>   | Deferred                       |
|                | 10:45 <b>DISTRICT COUNCIL SESSION</b>  |                                |
|                | (14) <b>A. Action</b> - Subdivision Regulation Amendment 10-01, Public Utility Easements- Urban Roads (Zyontz)<br><br><i>T&amp;E Committee recommended disapproval.</i>  | Deferred                       |
| <b>16-1509</b> | (15) <b>B. Action</b> - Resolution to extend time until December 10, 2010 for Council action on Kensington and Vicinity Sector Plan (Michaelson)   | Adopted (8y; DT a)             |

**TUESDAY, OCTOBER 5, 2010**

| <b>RES/ORD</b> | <b>SUBJECT</b>   | <b>ACTION</b>   |
|----------------|--|---|
| <b>O-16-55</b> | (16) <b>C. Action</b> - Zoning Text Amendment 10-11, Administrative and Technical Amendments (Zyontz)<br><br><i>PHED Committee recommends approval.</i>  | Enacted (8y; DT a)                                    |
| <b>O-16-56</b> | (17) <b>D. Action</b> - Zoning Text Amendment 10-10, Transit Mixed-Use (TMX) Zone - Parking Standards (Zyontz)<br><br><i>PHED Committee recommends approval.</i>   | Enacted (8y; DT a)                                    |
|                | (18) <b>E. Action</b> - Zoning Text Amendment 10-08, Agricultural Zones - Pet Day Care (Zyontz)<br><br><i>PHED Committee recommends approval.</i>  | Disapproved (GL, MK,NF y; DT a)                       |
|                | 11:45 <b>RECESS</b>  |   |
|                | 1:30 <b>PUBLIC HEARINGS:</b>   |   |
|                | (19) <b>A. FY12 WSSC Spending Control Limits</b> (Levchenko)<br><br><i>T&amp;E Committee worksession tentatively scheduled for 10/7/10.</i>  | PH held; record open until COB 10/5/10                |
|                | 1:30 <b>PUBLIC HEARINGS/ACTION:</b>  |   |
| <b>16-1510</b> | (20) <b>A. Supplemental appropriation to the County Government's FY11 Operating Budget, Office of Emergency Management and Homeland Security - \$1,545,000 for the FFY08 Urban Areas Security Initiative (UASI) Emergency Medical Services (EMS) Burn Baseline Capacity Grant (Source: Federal grant) (McMillan)</b> | Held PH; record closed. Adopted (6y; VE, MK ta; DT a) |
| <b>16-1511</b> | (21) <b>B. Supplemental appropriation to the County Government's FY11 Operating Budget, Montgomery County Fire and Rescue Services - \$839,450 for the Urban Area Security Initiative (UASI) Emergency Medical Services (EMS) Basic Life Support Restock Supplies Award (Source: Federal grant) (McGuire)</b>        | Held PH; record closed. Adopted (6y; VE, MK ta; DT a) |
|                | 2:00 <b>ADJOURN</b>  |   |

y=yes; n=no; a=absent; ta=temporarily absent